

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Final Regulation

REGISTRAR'S NOTICE: The Marine Resources Commission is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4006 A 11 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-280. Pertaining to Speckled Trout and Red Drum (amending 4VAC20-280-60).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: September 1, 2015.

Agency Contact: Jennifer Farmer, Regulatory Coordinator, Marine Resources Commission, 2600 Washington Avenue, 3rd Floor, Newport News, VA 23607, telephone (757) 247-2248, FAX (757) 247-2002, or email jennifer.farmer@mrc.virginia.gov.

Summary:

The amendment removes the Class 1 misdemeanor penalty for any person fishing recreationally with any gear type in possession of more than three red drum to conform to Chapter 108 of the 2014 Acts of Assembly, which repealed § 28.2-304 of the Code of Virginia.

4VAC20-280-60. Penalty.

~~A. Pursuant to § 28.2-304 of the Code of Virginia, any person violating any provision of 4VAC20-280-40 C of this chapter shall be guilty of a Class 1 misdemeanor.~~

~~B. Pursuant to § 28.2-903 of the Code of Virginia, any person violating any provision of this chapter other than 4VAC20-280-40 C shall be guilty of a Class 3 misdemeanor, and a second or subsequent violation of any provision of this chapter, other than 4VAC20-280-40 C, committed by the same person within 12 months of a prior violation is a Class 1 misdemeanor.~~